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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/820,511

03/29/2001

Don Rutledge Day

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EXAMINER

NGUYEN, MAIKHANH

ART UNIT

PAPER NUMBER

2176

DATE MAILED: 08/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/820,511

Applicant(s)

DAY ET AL.

Examiner

Maikhanh Nguyen

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-9,11-13,15-20 and 22-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-9,11-13,15-20 and 22-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Appeal Brief filed 05/26/2006 to the original application filed 03/29/2001.
2. Claims 1-2, 4-9, 11-13, 15-20, and 22-26 are currently pending in this application. Claims 3, 10, 14, and 21 have been canceled. Claims 1, 8, 12, 19, and 25 are independent claims.
3. In view of the Appeal Brief filed on 05/26/2006, PROSECUTION IS HEREBY REOPENED. A new ground of rejection s set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:
 - (a) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
 - (b) request reinstatement of the appeal.
4. If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 23-26 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The claims are directed to a signal directly or indirectly by claiming a medium and the Specification (page 20 line 28- page 21 line 8) recites evidence where the computer readable medium is define as a “*wave*” (such as signal bearing media, transmission-type media, light wave transmissions). In that event, the claims are directed to a form of energy which at present the office feels does not fall into a category of invention. The following link on the World Wide Web is for the United States Patent And Trademark Office (USPTO) policy on 35 U.S.C. §101.

http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/guidelines101_20051026.pdf

Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-2, 4, 12-13, and 23-24 are rejected under 35 U.S.C. 102(b) as being anticipated by **Gross et al.** (US 6,044,385, issued 03/28/2000).

As to claim 1:

Gross teaches method for magnifying a portion of a document in a browser on a client *(e.g., an entire document displayed within a computer screen at one time on a global scale while providing the user with an enlarged view of a local area of interest, see Abstract & col. 3, lines 53-57)*, comprising:

- presenting a first document in a first display in the browser on the client *(e.g., A graphic representation of the entire document is then exhibited within the window; see Abstract /Sample document 123 can constitute a web page, as previously defined herein. Note that the term "web page" can be distinguished from "pages" contained within a scrollable document such as sample document 123. Thus, sample document*

123 can potentially include many individual "pages" within a single "web page"/ col. 9, lines 20-38 & see Figs. 6 and 9);

- generating a magnified display of the first document in memory at the client (e.g., *Only a portion of sample document 123 is actually displayed within window 104; col. 8, lines 47-49 & see Fig. 7);*
- displaying in a second display in the browser a selected portion of the magnified display corresponding to a selected portion of the first document (e.g., *After the user "clicks" this particular portion of the entire sample document 132 ... text or graphics corresponding to the portion of entire same document chosen from lens bar are displayed within window; col. 10, lines 13-30 & see Fig. 8);*
- mapping the selected portion of the magnified display to a display space of the selected portion of the first document (e.g., *The different font format of string text 124 is an indication that the text is hyper-linked to "jump" to another document. When a user clicks on string text 124 with a mouse or other pointing device, the graphical user interface shifts the presently viewed sample document 123 to another hyper-linked document. Those skilled in the art will appreciate that sample document 123 can be displayed within a web browser and can include "links" to other sites within a computer network such as the Internet; col. 9, lines 20-38/ col. 10, lines 56-67 & see Figs. 6 and 7);*
- response to receiving a request for an action within the second display; and performing the action with respect to the first document (e.g., *a test is performed to determine whether or not the entire document can be displayed within the graphical*

user interface window in which the web browser operates. If it is determined that the entire document is displayed within the graphical user interface window, then a lens bar is not necessary for this particular document and the user can utilize a normal scroll bar. Thus, the graphical user interface and web browser application continues to operate normally ... if it is determined that the entire document is too large to be displayed within the graphical user interface window, then the graphical user interface application provides a lens bar ... the entire document is displayed within the lens bar in its entirety. As illustrated at block 168, a portion of the document is displayed within the lens portion of the lens bar according to a "normal" view; col. 11, lines 1-57 & see Fig. 9).

As to claim 2:

Gross teaches retrieving and displaying a second document corresponding to the link in the first display (e.g., the different font format of string text 124 is an indication that the text is hyper-linked to "jump" to another document. When a user clicks on string text 124 with a mouse or other pointing device, the graphical user interface shifts the presently viewed sample document 123 to another hyper-linked document ... that sample document 123 can be displayed within a web browser and can include "links" to other sites within a computer network such as the Internet; col. 9, lines 20-37 /A user can place a cursor over a particular portion of the document displayed within lens bar 130 and utilizing a pointing device such as a mouse, click that particular portion. The graphical user interface is thus instructed via this user input to display within lens portion 134 that

portion of entire document 132 chosen with the pointing device. After the user "clicks" this particular portion of the entire sample document 132 within lens bar 130, text or graphics corresponding to the portion of entire sample document chosen from lens bar 130 are displayed within window 105; col. 10, lines 13-30).

As to claim 4:

Gross teaches mapping the magnified portion to the first document (*e.g., the different font format of string text 124 is an indication that the text is hyper-linked to "jump" to another document. When a user clicks on string text 124 with a mouse or other pointing device, the graphical user interface shifts the presently viewed sample document 123 to another hyper-linked document. Those skilled in the art will appreciate that sample document 123 can be displayed within a web browser and can include "links" to other sites within a computer network such as the Internet; col. 9, lines 20-38/ col. 10, lines 56-67 & see Figs. 6 and 7).*

As to claim 12:

It is directed to an apparatus for performing the method of claim 1, and is similarly rejected under the same rationale.

As to claims 13 and 15:

They include the same limitations as in claim 2 and 4, respectively, and are similarly rejected under the same rationale.

As to claim 23:

It is directed to a computer program product for implementing the method of claim 1, and is similarly rejected under the same rationale.

As to claim 24:

It includes the same limitations as in claim 2, and is similarly rejected under the same rationale.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

(b) This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

10. Claims 5-7 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Gross et al.** in view of **Guedalia** (US 6,121,970, issued 09/19/2000).

As to claims 5 and 16:

Gross teaches creating the second display (*e.g., providing the user with an enlarged view of the local area of interest; col. 10, lines 44-47*), wherein the second display has a magnified display space based on a magnification factor (*e.g., the second magnification level each comprise a vertical magnification factor and a horizontal magnification factor; col. 12, lines 56-64 & col. 13, lines 46-67*). However, Gross does not specifically teach “*populating pixels in the second display to form a magnified display.*”

Guedalia teaches populating pixels in the second display to form a magnified display (*col. 16, line 23-col. 17, line 8*).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Szepesvary in the system of Gross because it would have provided the capability for significantly less re-use of the same image portion, since the user rarely navigates back to exactly the same configuration.

As to claims 6 and 17:

Gross teaches for each pixel of the normal display space (*e.g., number of pixels in the case of a bit-mapped image are displayed “full size” or normal view; col.10, lines 4-12*). However, Gross does not specifically teach “*populating adjacent pixels based on the magnification factor.*”

Guedalia teaches populating adjacent pixels based on the magnification factor (*col. 16, line 23-col. 17, line 8*).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Szepesvary in the system of Gross because it would have provided the capability for significantly less re-use of the same image portion, since the user rarely navigates back to exactly the same configuration.

As to claims 7 and 18:

Guedalia teaches mapping a magnified display space for the magnified portion to corresponding pixels in a normal display space for the original document (*e.g., A rendering of the entire sample document 132, however, is depicted within window 105. Only a certain number of local lines or number of pixels in the case of a bit-mapped image are displayed "full size" or via a normal view as depicted at lens portion 134; col. 10, lines 1-12*).

11. Claims 8-9, 11, 19-20, 22, and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Gross et al.** in view of **Szepesvary et al.** (US 2003/0192026, filed 08/09/2001, priority 12/22/2000).

As to claim 8:

The rejection of independent claim 1 above is incorporated herein in full. Additionally, claim 8 recites “analyzing a document object model for the first document.”

Gross does not specifically teach “*analyzing a document object model for the first document.*”

Szepesvary teaches analyzing a document object model for the first document (*see ¶¶ 0034-0036*).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Szepesvary in the system of Gross because it would have provided the capability for recognizing user interface objects in HTML applications, as well as for creating computer programs that accept HTML Document Model structures as input.

As to claim 9:

It includes the same limitations as in claim 2, and is similarly rejected under the same rationale.

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As to claim 11:

Gross teaches adjusting attributes of nodes based on a magnification factor (*col. 10, lines 1-12 & col. 11, line 1-58*).

As to claim 19

It is directed to an apparatus for performing the method of claim 8, and is similarly rejected under the same rationale.

As to claims 20 and 22:

They include the same limitations as in claims 2 and 11, respectively, and are similarly rejected under the same rationale.

As to claim 25:

It is directed to a computer program product for implementing the method of claim 8, and is similarly rejected under the same rationale.

As to claim 26:

It includes the same limitations as in claim 9, and is similarly rejected under the same rationale.

Response to Arguments

12. Applicants' arguments filed 05/26/2006 have been fully considered but are moot in view of the new ground(s) rejection.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Duvall et al.	U.S. Pat. No. 4,428,065	Issued: Jan. 24, 1984
Mullet et al.	U.S. Pat. No. 5,638,523	Issued: Jun. 10, 1997
Schwerdtfeger et al.	U.S. Pat. No. 6,829,746	Issued: Dec. 7, 2004
Harris	U.S. Pat. No. 6,941,509	Issued: Sep. 6, 2005
Schwerdtfeger et al.	U.S. Pat. No. 7,054,952	Issued: May 30, 2006

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (571) 272-4093. The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached at (571) 272-4136.

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The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MN

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